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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,944	11/18/2003	Mike Pell	13768.453	4451

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EXAMINER

BALAOING, ARIEL A

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/715,944	Applicant(s) PELL ET AL.	
	Examiner Ariel Balaoing	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 36-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 36-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/23/2006 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1-5 and 36-43 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-5, 36, 37, 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over SANKURATRIPATI et al (US 2002/0029267 A1) in view of SUGIARTO et al (US 6,278,449 B1).

Regarding claim 1, SANKURATRIPATI discloses a method of a server [ad server] selecting an interface that controls presentation of information to be delivered to a mobile user (abstract; paragraph 15-18, 59, 81), based on an identification of a user

and at least one of user preferences and usage data so as to deliver information that is contextually relevant to the user, (abstract; paragraph 15-18, 76-81; interface data includes the use of banner ads, pop-up text ads, graphical and text only ads, etc.), comprising: the server receiving information identifying a physical location of a mobile device that is being used by a mobile user (paragraph 40-42; location information of user is obtained using demographic data); the server receiving information identification of the mobile user from the mobile device (paragraph 15-18, 41, 59, 81); the server retrieving aggregate user preference data based on the received identification, wherein the aggregate user preference data corresponds to at least one of user preferences or usage data (abstract; paragraph 11-15, 19, 29); and the server selecting at least one user interface, from a plurality of user interfaces, to be communicated to the mobile device of the mobile user based on determining which of the plurality of user interfaces are relevant according to at least the aggregate user preference data, wherein the at least one user interface is used by the mobile device to present information at the mobile device in a manner dictated by the interface (abstract; paragraph 15-18, 76-81; interface data includes the use of banner ads, pop-up text ads, graphical and text only ads, etc.). However, SANKURATRIPATI does not expressly disclose wherein the at least one user interface communicated to the mobile device is used by the mobile device as a template for controlling what additional information to present at the mobile device and according to a format dictated by the user interface. SUGIARTO discloses wherein the at least one user interface communicated to the mobile device is used by the mobile device as a template [configuration files, individual portions of a web page]

for controlling what additional information to present at the mobile device and according to a format dictated by the user interface (abstract; col. 2, line 5-51). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SANKURATRIPATI to include a template for controlling information presented to a user, as taught by SUGIARTO, since SUGIARTO states on col. 2, line 40-43, that such a modification would allow a user to decrease the time necessary to obtain wanted information while reducing the amount of received, unwanted information.

Regarding claim 2, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although SANKURATRIPATI discloses the use of rendering the information to be provided to the mobile user (paragraph 70, 81), and sending the rendered information to a browser associated with a mobile user (paragraph 78, 80, 81). SANKURATRIPATI does not expressly disclose wherein the rendered information is sent to a mobile browser of a mobile communication device. SUGIARTO discloses wherein rendered information is sent to a mobile browser of a mobile communication device (12-Figure 1; col. 4, line 36-58). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SANKURATRIPATI to render information on a mobile browser, as taught by SUGIARTO, as the use of a mobile browser to access internet applications is well known in the art and could be used to acquire location and time based information.

Regarding claim 3, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. SANKURATRIPATI further discloses further comprising sending the information to a mobile carrier to be pushed to a mobile

communications device associated with the mobile user (paragraph 30-32; as disclosed, the advertisement servers can be separate from the service carrier, and therefore it would be necessary to send advertisements to service carrier to be pushed to the user).

Regarding claim 4, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. SANKURATRIPATI further discloses wherein rendering the information is based at least in part on an identification of the mobile communication device (paragraph 70, 78, 81).

Regarding claim 5, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. SANKURATRIPATI further discloses the server retrieving a user profile associated with the mobile user (paragraph 72-74, 78); wherein selecting the at least one interface to be communicated to the user is further based on the user profile (paragraph 72-74, 78).

Regarding claim 36, SANKURATRIPATI further discloses wherein selecting the at least one interface to be communicated to the user is further based on the time indicator (paragraph 49, 78).

Regarding claim 37, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. SANKURATRIPATI further discloses wherein selecting at least one interface to be communicated to the user is further based on the physical location of the user (paragraph 42, 78).

Regarding claim 42, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. However, SANKURATRIPATI does not expressly wherein the at least one interface comprises at least two interfaces. SUGIARTO

discloses wherein the at least one interface comprises at least two interfaces (abstract; Figure 3; col. 2, line 5-51). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SANKURATRIPATI to include a template for controlling information presented to a user, as taught by SUGIARTO, since SUGIARTO states on col. 2, line 40-43, that such a modification would allow a user to decrease the time necessary to obtain wanted information while reducing the amount of received, unwanted information.

Regarding claim 43, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. SANKURATRIPATI further discloses wherein the aggregate user preference data includes at least computer usage data corresponding to a user's tracked usage on a device other than the mobile device (paragraph 29, 41, 70; user logs on to subscribed server, which tracks usage on any device and stores the user preference).

Regarding claim 44, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. However, SANKURATRIPATI does not expressly wherein the at least two interfaces are blended to present the additional information at the mobile device. SUGIARTO discloses wherein the at least two interfaces are blended to present the additional information at the mobile device (abstract; Figure 3; col. 2, line 5-51). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SANKURATRIPATI to include a template for controlling information presented to a user, as taught by SUGIARTO, since SUGIARTO states on col. 2, line 40-43, that such a modification would allow a user to

decrease the time necessary to obtain wanted information while reducing the amount of received, unwanted information.

Regarding claim 45, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. However, SANKURATRIPATI does not expressly disclose wherein the user interface to be communicated controls additional information other than advertising. SUGIARTO discloses wherein the user interface to be communicated controls additional information other than advertising (abstract; col. 2, line 5-51). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify SANKURATRIPATI to include a template for controlling information presented to a user, as taught by SUGIARTO, since SUGIARTO states on col. 2, line 40-43, that such a modification would allow a user to decrease the time necessary to obtain wanted information while reducing the amount of received, unwanted information.

6. Claims 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over SANKURATRIPATI et al (US 2002/0029267 A1) in view of SUGIARTO et al (US 6,278,449 B1) and in further view of GERDES et al (US 2003/0046541 A1).

Regarding claim 38, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although SANKURATRIPATI discloses detecting identification of the mobile user (paragraph 15-18, 41, 59, 81), SANKURATRIPATI does not disclose wherein receiving the identification of the mobile user includes receiving a PUID. GERDES discloses wherein receiving the identification of the mobile user includes receiving a PUID (paragraph 7). Therefore it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to modify the combination of SANKURATRIPATI and SUGIARTO to include various identification methods, as taught by GERDES, as any identification system can be used in the disclosure of SANKURATRIPATI and the use of well known identification methods would be a design choice of the system administrator.

Regarding claim 39, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although SANKURATRIPATI discloses detecting identification of the mobile user (paragraph 15-18, 41, 59, 81), SANKURATRIPATI does not disclose wherein receiving the identification of the mobile user includes receiving a PIN. GERDES discloses wherein receiving the identification of the mobile user includes receiving a PIN (paragraph 55). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of SANKURATRIPATI and SUGIARTO to include various identification methods, as taught by GERDES, as any identification system can be used in the disclosure of SANKURATRIPATI and the use of well known identification methods would be a design choice of the system administrator.

Regarding claim 40, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although SANKURATRIPATI discloses detecting identification of the mobile user (paragraph 15-18, 41, 59, 81), SANKURATRIPATI does not disclose wherein receiving the identification of the mobile user includes receiving a MSISDN of the mobile device. GERDES discloses wherein receiving the identification of the mobile user includes receiving a MSISDN (paragraph 53). Therefore it would

have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of SANKURATRIPATI and SUGIARTO to include various identification methods, as taught by GERDES, as any identification system can be used in the disclosure of SANKURATRIPATI and the use of well known identification methods would be a design choice of the system administrator.

7. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over SANKURATRIPATI et al (US 2002/0029267 A1) in view of SUGIARTO et al (US 6,278,449 B1) and in further view of KUNIGITA (US 6,836,727 B2).

Regarding claim 41, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. However, the combination of SANKURATRIPATI and SUGIARTO does not disclose further comprising: the server detecting a change in a physical location of the mobile device; and the server, in response to detecting the change, providing a new interface to the mobile device, wherein the new interface is used to present new information to the user at the mobile device. KUNIGITA discloses a server detecting a change in a physical location of the mobile device (Figure 4; col. 12, line 50-col. 13, line 10); and the server, in response to detecting the change, providing a new interface to the mobile device, wherein the new interface is used to present new information to the user at the mobile device (Figure 4; col. 12, line 50-col. 13, line 10). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of SANKURATRIPATI and SUGIARTO, in this way, as taught by KUNIGITA, as this provides the ability to

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acquire new services when the user is within a predetermined range of a service of interest.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

DONOHUE et al (US 5,987,480) –Delivering documents customized for a particular user over the Internet using imbedded dynamic content

KLASSEN (US 6,216,121 B1) – Web page generation with subtemplates displaying information from an electronic post office system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ariel Balaoing whose telephone number is (571) 272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ariel Balaoing – Art Unit 2617

AB

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GEORGE ENG
SUPERVISORY PATENT EXAMINER